

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

PETER COLON, et al., \*  
\*  
Plaintiffs, \*  
\*  
v. \* CIVIL NO. 98-1237 (PC)  
\*  
HOSPITAL DAMAS, INC., et al., \*  
\*  
Defendants. \*

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U.S. DISTRICT COURT  
SAN JUAN, P.R.

ORDER APPROVING PARTIAL SETTLEMENT

On September 14, 1999, this Honorable Court was apprised that settlement had been reached with all but five codefendants, to wit: Hospital Damas, Inc., Ramón del Prado, M.D., Jesús Martínó, M.D., Héctor Silva, M.D. and Instituto de Emergencias Médicas, Inc. Plaintiffs represented that codefendant "Instituto de Hematología y Oncología" was in the process of being dismissed. On December 14, 1999 Plaintiffs filed a Motion requesting dismissal without prejudice of "Instituto de Hematología y Oncología".

Pursuant to the Settlement Stipulation and Release, announced to the Court on September 14, 1999 and filed in this case on December 14, 1999, plaintiffs agreed to dismiss their causes of action against the settling defendants and their insurers, to wit Dr. Manuel Santiago Cummings, Southern Anesthesia and Associates, Dr. Axel Báez Torres, Dr. Hilda N. López Flores, Southern Pathology Services, Inc., Dr. Carlos Otero Rodriguez, Dr. Germán Chávez, Dr. José A. Rivera and

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Caribbean Imaging and Radiation Center for the payment of certain sum of monies stated in the Settlement Stipulation and Release.

After review of the settlement documents, and the arguments of the parties present at the December 14, 1999 status, this Court approves the Settlement Stipulation and Release, and hereby **ORDERS** all settling defendants to deposit with the Clerk of the Court, within twenty (20) days of the entry of this **Order**, the consideration agreed upon. Since there are minor children in this case, the funds will remain in the registry of the Court until the Courts in Florida authorize the plaintiffs to withdraw these settlement proceeds.

Plaintiffs shall file Joint Motions to Dismiss with prejudice the pending action against the settling defendants, as soon as the deposits are noticed. Plaintiffs shall file a Joint Motion to Dismiss without prejudice their claims against "Instituto de Hematología y Oncología". Upon the filing of these Motions, a partial judgment will issue and the caption of the case will be amended to reflect the remaining parties in the case.

**IT IS SO ORDERED.**

San Juan, Puerto Rico, December 30, 1999.

*Juan M. Perez-Gimenez*  
JUAN M. PEREZ-GIMENEZ  
U.S. District Judge